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April 1, 2022

VIA ECF

Hon. Cathy Seibel, U.S.D.J.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

Re: Golden and Golden Building Company, Inc. v. 3M Company et al
Case No. 7:22-cv-02539-CS

Dear Judge Seibel:

This firm represent Defendants Tyco Fire Products, L.P. and Chemguard, Inc. in the above-captioned matter which was just removed to the United States District Court for the Southern District of New York on March 29, 2022.

The Complaint in the instant matter raises the same issues against the same parties as are set forth in numerous matters which are in the multidistrict litigation captioned In Re AFFF Products Liability Litigation (MDL No. 2873), consolidated and assigned to the United States District Court for the District of South Carolina. Plaintiff's counsel represents many governmental and private plaintiffs whose matters have already been transferred by the Judicial Panel on Multidistrict Litigation (JPML) to South Carolina. Counsel for Plaintiff, Golden and Golden Building Company, Inc., and the undersigned expect that the instant matter will also be transferred to The District of South Carolina within the month of April or early May, 2022.

Following the established protocol employed in the MDL matters, our National Counsel, Williams & Connolly, LLP, will shortly be filing with the JPML a notice of potential tagalong litigation concerning the above-captioned matter. Since Plaintiff's counsel does not interpose an objection to the process, it is expected that the matter now assigned to this Honorable Court will be transferred to the MDL once a short-established objection period ends.

In that regard, plaintiff's counsel and the undersigned have formally executed the attached Stipulation and Order Extending Time to Respond.

If the attached meets with the Court's approval, given the expected timeline outlined above, we ask that Your Honor, in his discretion, to "So Order" the Stipulation.

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If the Court has any questions, please have a member of your staff reach out to me at therten@archerlaw.com or on my cell (201) 410-5811 since my firm continues to operate remotely.

We thank the Court for its attention to this matter.

Very truly yours,



THOMAS J. HERTEN

TJH:ev

Attachment

cc: Patrick Lanciotti, Esq.
Andrew Croner, Esq.
Paul J. Napoli, Esq.